

REMARKS

Claims 1, 3-5, and 7-9 remain pending in the present application. Claims 2 and 6 have been withdrawn by the Examiner. Claims 1, 4 and 5 have been amended.

Basis for the amendments can be found throughout the specification, drawings and claims as originally filed.

The Examiner has not accepted the Terminal Disclaimer alleging that the assignee has not established its ownership interest in the patent. Applicants enclosed two (2) Statement under 37 CFR 3.73(b) for the Examiner's approval. Applicants now believe the Examiner's objection to be overcome regarding the Terminal Disclaimer and respectfully request the Examiner to enter the Terminal Disclaimer.

CLAIM OBJECTIONS

The Examiner has objected to Claims 4 and 5. Applicants have amended Claims 4 and 5 in an attempt to overcome the Examiner's objections. Accordingly, Applicants believe the claims to overcome the Examiner's objections and respectfully request withdrawal of the same.

CLAIM REJECTIONS UNDER 35 U.S.C. 103(a)

The Examiner has rejected Claims 1 and 9 under 35 U.S.C. §103(a) alleging them to be unpatentable over Nomura (WO/18808). The Examiner alleges that Figs. 5 and 6 would render Applicants' invention obvious to those skilled in the art.

Claim 1 has been amended. Claim 1 further defines an irregular surface on the wheel hub and/or the outer joint member. Deformation and the irregular surface

connect the wheel hub and the outer joint member together such that the plastic deformed connection member has an axially pull-out proof force more than a 160kN.

The Nomura reference relied on by the Examiner fails to teach Applicants' claim. The Nomura reference includes a plurality of circumferential splines (12f) which non-rotatably fits the wheel hub and outer joint member. The outer joint member then is either caulked or includes a nut to secure the outer joint member with the wheel hub. This type of securement creates a force, from the caulking or nut, which applies an axial load on the wheel hub 12. The axial load leads to an additional axial load on the bearing 2. This results in an adverse effect on the pre-load of the bearing. All of this is due to the axial loading of the outer member onto the wheel hub by caulking or a nut.

In Applicants' disclosure and claims, the wheel hub and the outer joint member are plastically deformed such that an irregular surface of the wheel hub and/or the outer joint member is connected together through the plastic deformation. The 160kN maintains the appropriate preload without adversely affecting the preload on the bearing as in the caulked or frictionally secured nut of the prior art. Thus, the swing caulking or screwing of the nut to frictionally secure the wheel hub and outer joint part together leads to damage of the shaft due to the axial load caused by the swing caulking or friction nut attachment. Accordingly, the Nomura reference cited by the Examiner fails to teach Applicants' claim.

Thus, Applicants believe Claim 1 to be patentably distinct over the art cited by the Examiner. Likewise, Claims 3-5 and 7-9 are patentably distinguishable over the art cited by the Examiner.

The Examiner has rejected Claims 1 and 9 under 35 U.S.C. §103(a) as being unpatentable over Sera et al. (U.S. Patent Application No. 2002/0051597).

The Sera et al. application illustrates the same securement methods as in the Nomura disclosure. Accordingly, the Sera et al. reference would provide an axial force onto the bearing to interfere with the preload as described above. Thus, as mentioned above, Sera et al., like Nomura, fails to teach Applicants' claims.

Applicants believe independent Claim 1 to be patentably distinct over the Sera et al. reference. Likewise, Claims 3-5 and 7-9 are patentably distinguishable over the Examiner's rejection.

DOUBLE PATENTING REJECTION

Applicants have enclosed two Statements under 37 CFR 3.73(b) providing ownership of the cited patents. Accordingly, Applicants believe the previously submitted Terminal Disclaimer to be in proper order and respectfully request withdrawal of the obviousness-type double patenting rejection.

In light of the above amendments and remarks, Applicants submit that all pending claims are in condition for allowance. Accordingly, Applicants respectfully request the Examiner to pass the case to issue at his earliest possible convenience.

Should the Examiner have any questions regarding the present application, he should not hesitate to contact the undersigned at (248) 641-1600.

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